

Testimony of Joel Beauvais
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Subcommittee on Health and Subcommittee on Environment and the Economy
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Good morning, Chairman Pitts, Chairman Shimkus, Ranking Member Green, Ranking Member Tonko, distinguished Members of the Committee. Thank you for the opportunity to testify about EPA's response to the drinking water crisis in Flint, Michigan.

Under the Safe Drinking Water Act, Congress directed the EPA to set national standards to protect public health but assigned primary responsibility to the states to implement these regulations. EPA maintains federal oversight of the states' drinking water programs. That system, while imperfect, has achieved major improvements in drinking water safety nationwide. The situation in Flint, however, underscores the need for urgent and sustained action – by federal, state, tribal and local governments, and drinking water system owners and operators nationwide – to address risks from lead in drinking water and to ensure that nothing like this ever happens again. As part of the coordinated federal effort led by the U.S. Department of Health and Human Services, EPA is working closely with the State of Michigan and City of Flint to address the crisis in Flint. Since October 2015, EPA's Flint Safe Drinking Water Task Force – composed of many of the agency's experts – has provided technical assistance to the city and to MDEQ on steps needed to re-optimize corrosion control and ensure proper lead testing. On January 21, 2016, EPA issued an Emergency Order under section 1431 of the Safe Drinking Water Act, directing the State of Michigan, MDEQ and the City of Flint to take actions necessary to ensure that corrosion control is re-optimized and that the city establishes the capacity to operate its drinking water system in compliance with the requirements of the law.

EPA is an integral part of the federal response effort and has established a significant presence on the ground, which includes response personnel, scientists, water quality experts, community involvement coordinators and support staff. In addition to providing ongoing technical assistance through the EPA Flint Task Force, EPA is conducting a multi-pronged effort to collect and analyze drinking water samples taken from around the city to help ensure transparency and accountability in assessing the status of Flint's system. Sampling results will continue to be shared with individual homeowners and are publicly available on EPA's website.

EPA has also taken several concrete steps to address systemic issues raised during this crisis. The Administrator directed a review of MDEQ and its ability to implement the Safe Drinking Water Act; called on EPA's inspector general to investigate EPA's response to the Flint crisis; and issued an EPA-wide elevation memo encouraging staff to raise issues of concern to managers and for managers to be welcoming of staff concerns and questions.

In addition, EPA is working with states with primacy in implementing the SDWA to strengthen implementation of the Lead and Copper Rule, which covers approximately 68,000 public water systems nationwide. EPA recently sent letters to the governors and drinking water regulatory agency heads of every primacy state with primacy in implementing the SDWA asking them to work with EPA to

strengthen implementation of the Lead and Copper Rule, including through a series of specific actions to enhance transparency, accountability, and communication of timely information to the public.

EPA has been actively working on revisions to improve the Lead and Copper Rule. In December 2015, we received extensive recommendations on potential revisions from our National Drinking Water Advisory Council, composed of members of the general public, state and local agencies and private groups, as well as from other concerned stakeholders. We are carefully evaluating this input and the national experience in implementing the current rule – including the events in Flint – to develop proposed improvements. EPA expects to propose revisions to the rule in 2017 and will welcome comments from the public and other interested parties.

Finally, the situation in Flint highlights the need for broader national action to address our drinking water infrastructure. In many areas across our country, that infrastructure is aging and severely underfunded – particularly in low-income communities, which may have the most difficulty securing traditional funding through rate increases or municipal bonds. As EPA continues to work to strengthen public health protections through regulatory policy and implementation, we also need a serious national conversation about how to advance the investments and technologies necessary to continue to deliver safe drinking water to all American families.

Thank you for the opportunity to testify today. I welcome your questions.